

A RESOLUTION OF THE LODI CITY COUNCIL OF THE CITY OF LODI,
CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT OF
THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT
NO. 2003-1 FOR FISCAL YEAR 2009-10

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WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act") to establish the *Lodi Consolidated Landscape Maintenance District No. 2003-1* ("Assessment District"); and

WHEREAS, the City has retained NBS Government Finance Group, DBA NBS, for the purpose of assisting with the annual levy of assessments within the Assessment District, and to prepare and file an Annual Report, in accordance with §22567 of the Act; and

WHEREAS, the Council has, by previous resolution, declared its intention to hold a Public Hearing on the levy of the proposed assessment and notice of such hearing has been duly given, in accordance with 322626 of the Act; and

WHEREAS, the Council has held and concluded a Public Hearing on the levy of the proposed assessment and has considered all objections.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

1. Purpose of Assessment: The assessment is to be levied and collected to pay the costs of operating, maintaining, and servicing the improvements described in the Annual Report, which is on file with the City Clerk.
2. Compliance with the Law: The assessment is in compliance with all provisions of the Act, Article XIII D of the Constitution of the State of California, and the Proposition 218 Omnibus Implementation Act.
3. Basis of Assessment: The assessment is based upon the estimated benefit from the improvements described in the Annual Report, which is on file with the City Clerk, and such assessment is calculated without regard to property valuation.
4. Confirmation of Diagram and Assessment: The Council hereby confirms the diagram and assessment, as detailed in the Annual Report on file with the City Clerk.
5. Levy of Assessment: Pursuant to §22631 of the Act, the adoption of this resolution shall constitute the levy of an assessment for the fiscal year commencing July 1, 2009 and ending June 30, 2010.
6. Filing of Assessment: The Council hereby orders NBS to file the assessment, as confirmed, with the San Joaquin County Auditor-Controller.

Dated: June 17, 2009

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I hereby certify that Resolution No. 2009-88 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 17, 2009, by the following vote:

AYES: COUNCIL MEMBERS – Johnson, Mounce, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock and Katzakian

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk